

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

5/3/2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 04-00213DAE  
CASE NAME: USA v. Benedict Raquel  
ATTYS FOR PLA: Bill Shipley  
ATTYS FOR DEFT: Pamela Byrne  
USPO: Mark Nugent

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JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 5/3/2007

TIME: 10:30am-11:15am

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COURT ACTION: EP: Order to Show Cause Why Supervised Released Should Not Be Revoked.

Defendant present, not in custody.

Defendant admits to all violations.

Order to Show Cause Why Supervised Released Should Not Be Revoked-REVOKED.

SENTENCE:

Imprisonment: 3 MONTHS

Supervised Release: 30 MONTHS

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance.

The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).

- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant participate in a substance abuse program which may include drug testing at the discretion and direction of the Probation Office.
- ▶ That the defendant execute all financial disclosure forms requested by the Probation Office and provide access to any requested financial information.
- ▶ That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

That the defendant is prohibited from possessing, selling, buying, or otherwise engaging in the transfer of any merchandise that is specifically designed for use in cockfighting activities, including but not limited to the following: gaffs, blades, leashes, gaff-covers, blade-covers, sheaths, and lashes.

That the defendant is prohibited from possessing, selling, buying, or otherwise engaging in the transfer of any live game fowl.

That the defendant is prohibited from participating in any form of cockfighting and/or gambling; being in the presence of any cockfighting or gambling; frequenting any business, residence or area where any cockfighting and/or gambling activities have occurred or are presently occurring; and associating with any persons engaged in cockfighting and/or gambling.

JUDICIAL RECOMMENDATIONS: FDC Honolulu.

Defendant advised of his right to appeal.

Mittimus is stayed until 5/7/2007.

Defendant to self-surrender @2:30 p.m. on 5/7/2007 at the FDC Honolulu.

Submitted by: Theresa Lam, Courtroom Manager